

Title 248

Nebraska Department of Motor Vehicles

Chapter 3

NEBRASKA ADMINISTRATIVE CODE

TITLE 248, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 3

NEBRASKA DEPARTMENT OF MOTOR VEHICLES

**RULES AND REGULATIONS GOVERNING DONATION OF ANATOMICAL GIFTS
BY NOTATION ON DRIVER-S LICENSE OR STATE IDENTIFICATION CARD, NEB.
REV. STAT. ' ' 60-493, 60-494, 60-495, 60-4,144, 60-4,181 AND THE ANATOMICAL
GIFT ACT NEB. REV. STAT. ' ' 71-4802 AND 71-4804.**

Title 248	Nebraska Department of Motor Vehicles	Chapter 3
Application	' 60-484 ' 60-493 ' 60-4,144 ' 60-4,181	004
Definitions	' 60-466 ' 60-474 ' 71-4801 ' 71-4803	002
Donor	' 71-4802 ' 71-4803	003
Effective Date	' 71-4802	007
Notation of Donation on License or Identification Card	' 60-494 ' 60-4,151 ' 60-4,181	005
Scope	' ' 60-493 through 60-495 ' 60-4,144 ' 60-4,181 ' 71-4802 ' 71-4804	001
Status Change	' 60-494	006
Scope	' ' 60-493 through 60-495 ' 60-4,144 ' 60-4,181 ' 71-4802 ' 71-4804	001
Definitions	' 60-466 ' 60-474 ' 71-4801 ' 71-4803	002
Donor	' 71-4802 ' 71-4803	003
Application	' 60-484 ' 60-493	004

Title 248 Nebraska Department of Motor Vehicles Chapter 3

	' 60-4,144	
	' 60-4,181	
Notation of Donation on License or Identification Card	' 60-494 ' 60-4,151 ' 60-4,181	005
Status Change	' 60-494	006
Effective Date	' 71-4802	007

Issue Date: _____

NEBRASKA ADMINISTRATIVE CODE

Title 248 Nebraska Department of Motor Vehicles Chapter 3

CHAPTER 3 RULES AND REGULATIONS GOVERNING DONATION OF ANATOMICAL GIFTS BY NOTATION ON DRIVER-S LICENSE OR STATE IDENTIFICATION CARD, NEB. REV. STAT. ' ' 60-493, 60-494, 60-495, 60-4,144, 60-4,181 AND THE ANATOMICAL GIFT ACT NEB. REV. STAT. ' ' 71-4802 AND 71-4804.

001 SCOPE. These rules and regulations govern the Nebraska Department of Motor Vehicles= procedures for donation of anatomical gifts pursuant to Neb. Rev. Stat. ' ' 60-493, 60-494, 60-495, 60-4,144, 60-4,181 and the Anatomical Gift Act Neb. Rev. Stat. ' ' 71-4802 and 71-4804.

002 DEFINITIONS.

002.01 Application means an application blank for a new, renewal, revised, or duplicate state identification card or operator-s license.

002.02 Department means the Nebraska Department of Motor Vehicles.

002.03 Director means the Director of the Nebraska Department of Motor Vehicles.

002.04 Donee means the recipient of an anatomical donation.

002.05 Donor means an individual who makes a gift of all or part of his or her body.

002.06 Gift means the act of making an anatomical donation.

002.07 **Operator-s or driver-s license** shall mean any license or permit to operate a motor vehicle issued under the laws of this state, including any replacement or duplicate license or instruction permit.

002.08 **Part** includes organs, tissues, eyes, bones, arteries, blood, other fluids, and other portions of a human body, and parts includes parts.

002.09 **State Identification Card** shall mean an identification card issued under the laws of this state, including a replacement or duplicate card.

003 **DONOR.**

003.01 **Qualifications.** Any individual of sound mind may give all or any part of his or her body for specific purposes as described in Neb. Rev. Stat. ' 71-4803 and 003.02.

003.02 **Purpose for Donation.** The purpose of an anatomical donation must fall into one or more of the following categories:

003.02A **Education, Research or Scientific Advancement.** For medical or dental education, research, advancement of medical or dental science, therapy or transplantation, if the donee is any hospital, surgeon, or physician;

003.02B **Education, Research or Scientific Advancement.** For education, research, advancement of medical or dental science or therapy, if the donee is an accredited medical or dental school, college or university;

003.02C **Education, Research or Scientific Advancement.** For medical or dental education, research, advancement of medical or dental science, therapy or transplantation if the donee is the State Anatomical Board, any bank or storage facility; or

003.02D **Therapy or Transplantation.** For therapy or transplantation to any specified individual who needs it.

003.03 **Restrictions upon Donations.** The donee shall not accept the gift if the donee has actual notice that the decedent did not wish to donate or that the gift is opposed by the decedent-s next of kin, guardian, or other person as listed in Neb. Rev. Stat. ' 71-4802.

004 **APPLICATION.**

004.01 **Form.** Application for a new or renewal operator-s license or state identification card shall be made upon uniform blanks prepared and furnished by the Director to the examiners of the Department.

004.02 Contents. Every application for an operator's license or state identification card made to the Department shall include the following in regards to anatomical gifts:

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

1. Do you wish to make an anatomical gift?* If so, please complete the following:

I give:

- (i) ____ any needed organs or tissues.
 - (ii) ____ only the following organs or tissues _____
(specify the organ or tissue) for transplantation, therapy, or medical or dental education or research.
 - (iii) ____ my body for anatomical study if needed.** Limitations or special wishes if any _____.
2. Do you wish to receive any additional specific information regarding anatomical gifts? _____

*An anatomical gift means a gift of all or any part of your body for transplantation, therapy, or medical or dental education or research. For purposes of an anatomical gift, parts of your body include organs, tissues, eyes, bones, arteries, blood, other fluids, and other portions of a human body. You may make an anatomical gift if you are of sound mind. The anatomical gift is effective upon your death and the consent of your next of kin, guardian, or other person as listed in section 71-4802.

**In order for you to donate your body to the State Anatomical Board, you must complete a bequeathal form which is available from the board.

Signature of Donor

Date of Birth of Donor

Date Signed

City and State

Witness

Witness

004.03 Brochure. The county treasurer or examiner of the Department of Motor Vehicles shall distribute a brochure provided by an organ and tissue recovery agency and approved by

the Department of Health containing a description and explanation of the Uniform Anatomical Gift Act to each person who applies for a new or renewal operator's license or state identification card.

004.04 Specific Information. If an individual desires to receive additional specific information regarding anatomical gifts as indicated on an application, the Department shall notify a Nebraska Organ Retrieval System representative of the name and address of such individual within five (5) working days of the date of entry into the Department's records.

004.05 Witnesses. Each examiner or county official is required to act as a witness to the signing of the donor's application for a operator's license or state identification card. Two (2) witnesses are required.

004.06 Renewal. At the time of renewal of an operator's license or state identification card which has been used to make an anatomical gift, the gift will be renewed only if the licensee or cardholder affirmatively completes the portion of the application form which indicates his or her desire to make an anatomical gift and his or her signing of the form is witnessed as required by 004.05. An anatomical gift is not automatically renewed with the mere renewal of an operator's license or state identification card.

005 NOTATION OF DONATION ON LICENSE OR IDENTIFICATION CARD.

005.01 License. Each operator's license and state identification card shall provide the following anatomical gift information on the licensee or cardholder:

005.01A Notation. The special notification indicating that the licensee or cardholder is a potential donor shall be on the front of the card.

The following information shall be on the back of the license or identification card:

005.01B Statement of Donation. The statement: AI hereby make an anatomical gift effective on my death@ shall be at the top of the back, followed by

005.01C Signature. A dated signature of the licensee or cardholder;

005.01D Designation of Tissues. A designation as to which body organs or tissues may be donated;

005.04E Witnesses. The signatures of two (2) witnesses who witnessed the signature of the licensee or cardholder.

005.04F Other Information. Such other information as the Director may determine may be placed on the operator's license or state identification card.

005.02 Special Notification. A special notification, AOrgan Donor®, shall be included on the front of the operator's license or state identification card if the licensee or cardholder desires to make an anatomical gift. No licensee or cardholder shall be deemed to have authorized an anatomical gift if the special notation has not been marked.

005.03 Special Notification Completion. If an individual wishes to be a donor, and has indicated this by so marking question #1 on the application, AYES® shall be typed on the front of the license in the special notification AOrgan Donor®.

If question #1 is marked ANO® or left blank, the special notification AOrgan Donor® on the front of the license shall be left blank.

006 STATUS CHANGE.

006.01 Donor. Any person whose operator's license or state identification card indicates that he or she desires to make an anatomical gift may obtain a replacement license or card changing his or her status to that of a nondonor. The fee for such replacement license or card shall be \$5.00.

006.02 Nondonor. Any person whose operator's license or state identification card indicates that he or she does not desire to make an anatomical gift may obtain a replacement license or card changing his or her status to that of a donor. The fee for such replacement license or card shall be \$5.00.

007 EFFECTIVE DATE. A donation becomes effective upon the donor's death and the consent of the donor's next of kin, guardian, or other person as listed in Neb. Rev. Stat. ' 71-4802.